BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

HOUSE TAXATION COMMITTEE

Date: Wednesday, February 4, 20 Place: Capitol	7 Time: 9:00 am Room: 152
BILLS and RESOLUTIONS HEARD: Prefix (HB, HR, HJR, SB, SR, or SJR) and n	number. Add Postponed (PP) when appropriate:
HB 329, SB 115	
EXECUTIVE ACTION TAKEN: Prefix (HB, HR, HJR, SB, SR, or SJR) and n amended) BC(be concurred in) BCAA (be concurred in)	number. Enter P(pass) F(failed) DPAA (do pass as nourred in as amended):
SB 115 - BC	
COMMENTS:	
	REP. Bob Lake, Chairman

HOUSE OF REPRESENTATIVES Roll Call TAXATION COMMITTEE

DATE: 2-4-09

NAME	<u>PRESENT</u>	ABSENT/ EXCUSED
Bob Lake, Chair	6	é Nà
Jill Cohenour, Vice-Chair		WIN
Janna Taylor, Vice Chair		
Dick Barrett	i J	4
Mark Blasdel	W.	
Edward Butcher		Ato
Wanda Grinde		,
Robin Hamilton	U.	Latert
Brian Hoven	4	
Mike Jopek	1	
Dave McAlpin		
Mike Miller		
Art Noonan		3/
JP Pomnichowski		JAK.
Lee Randall	V	
J. David Roundstone	W.	
Jon Sonju	W	Jerry
Wayne Stahl		
Chas Vincent		
Brady Wiseman		



HOUSE STANDING COMMITTEE REPORT

February 4, 2009 Page 1 of 1

Mr. Speaker:

We, your committee on Taxation recommend that Senate Bill 115 (third reading copy – blue) be concurred in.

Signed:

Representative Bob Lake, Chair

To be carried by Representative Jill Cohenour

- END -

Committee Vote: Yes 20, No 0 Fiscal Note Required ___

I request to be excused from the	1K	Χ						
Committee because of other commitments. I desire to leave my proxy vote with: MAKK Blasdel								
Indicate Bill number and your vo	Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and							
	number under the bill and indicate a separate vote for each amendment. BILL/AMENDMENT AYE NO BILL/AMENDMENT AYE NO							
SB 115	/							
Ran (Mel Am	/		Date	2/4/09	ş.			
Rep. (Signature) S0NJ1	A.	Daw	-///				

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Indicate Bill number and your number under the bill and ind	vote A	ye or No	o. If th	nere are amendments			
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SB 115	~						
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Rep. (Signat	ture)			Date:	2/	4/0) <i>9</i>

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SR 115	~				
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Rep. Juna (Signal	Ly (ure)	OV	Date 2/4	109	

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Montana House of Representatives Visitors Register

TAXATION COMMITTE	E Date <u>2</u>	-4-69
Bill No. 48 329	Sponsor(s) Rep.	Brown
PLEASE PRINT	PLEASE PRINT	PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Kelly Casillas, MDOC	MDCC			×
MARYTUNG	MDOC.			X
MARTY TUHL	MTOC Dially perch			X
(100)				
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

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Montana House of Representatives Visitors Register

TAXATION COMMITTEE		Date 2-4-69			
Bill No. <u>SB 115</u>	_Sponsor(s)	Sen.	Kaw	mann	
PLEASE PRINT	PLEAS	E PRINT	PLE	ASE PRI	NT
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Name and Address	Representing	Support	Oppose	Inf.
RANDY WICKE	DEPT. OF REVENUE	\mathcal{S}	_	
And, Heiman	AFRO	X	·	
Holly france	MT Soc. of CPAs	X		
Konda Wiggers	Mt County Troso Assoc	\\\		
HAROUB BLAHIE	c54M	ナ		
Done Hogenson	MT. TAXPAYERS ASS			
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

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Anthony J. Preite, Director

301 S. Park Ave. * P.O. Box 200501 * Helena, Montana 59620-0501 Phone 406-841-2700 * Fax 406-841-2701 * TDD: 406-841-2702 * http://commerce.mt.go

January 30, 2009

Chairman Bob Lake **Committee Members Taxation Committee** Montana House of Representatives

Subject: Requested Information – HB312 (Rep. Beck)

Mr. Chairman and Committee Members:

Please find attached information that responds to two questions asked during the hearing today on HB 312 - "Increase population requirements for resort tax purposes".

The information provided describes the analysis performed by the Montana Department of Commerce in order to evaluate and determine the qualifications of a community for resort designation as required by statute.

The information provided also shows the population of Montana's incorporated communities over time, including the 2000 census and the latest population estimates from July, 2007.

Please let us know if the Committee requires any other information. I can be reached at 841-2707. Thank you.

Sincerely

Andy Poole, Deputy Director Department of Commerce

CC:

Rep. Bill Beck Gene Walborn

MONTANA DEPARTMENT OF COMMERCE RESORT COMMUNITY DESIGNATION PROCESS

This report summarizes the analysis that the Department of Commerce performs to determine if an incorporated community qualifies as a "resort community" under MONT. CODE ANN. § 7-6-1501-1509 (2003).

Incorporated Area

MONT. CODE ANN. § 7-6-1501 (2003) specifies that a community seeking to be designated as a resort community must be an incorporated municipality. The determination of whether a municipality is incorporated was made by referring to the current list of such communities available from the U.S. Census Bureau.

Population

The second criterion identified in MONT. CODE ANN. § 7-6-1501 (2003) is that the area must have a population of less than 5,500 people, as measured by the latest federal census or federal estimate. The Department reviews the latest census information available in order to determine the population of the community seeking designation.

Economic Well-being

The last and perhaps the most important criterion for designation specified by MONT. CODE ANN. § 7-6-1501 (2003) is that an area must derive its "primary portion of economic well-being related to <u>current employment</u> from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production." According to the Merriam Webster Online Dictionary, Copyright 2004, <u>primary</u> means a) first in order of time or development, b) of first rank, importance, or c) direct or firsthand. The analysis contained in this analysis uses the definition of primary as first in rank.

The Non-business Travel Industry is what is meant by the phrase "the recreational and personal needs of persons traveling ...". This is part of the overall Travel Industry, which includes business travel. The Institute for Tourism and Recreation Research, based out of the University of Montana and the Travel Industry Association identifies the travel sectors as:

- Transportation
- Lodging
- Food and Beverage
- Entertainment services
- Retail, others (gift and souvenir shops, gas stations)

Economies are separated into 'export' and 'local' sectors. Export sectors, which are also called "basic" or non-local sectors, depend on markets outside their area or are influenced by factors originating beyond their borders. The major examples of export sectors in Montana are the natural resources industries like Agriculture and Mining; Manufacturing such as wood products; Non-resident Travel; and the Federal Government. These export

sectors bring income into the area, thus stimulating employment and are believed to be the major driving force in small area economies. The principal determinant of economic well-being in small economies is then export sector employment.

Given the language of the resort area legislation, along with the most reasonable interpretation of that language, the analysis related to the third designation criterion reduces to determining if Non-business Travel is the most important Export sector employer in the proposed resort community.

One analytical tool used to determine how much employment is related to an Export industry and how much is related to a Local industry is the location quotient. If an industry has more employment than is needed to serve the local population, the excess employment is considered 'export' employment. All employment then is apportioned between the Export sector and the Local sector depending on the location quotient.

For some specialized economic sectors, information about their funding sources determines export and local employment. For schools, the State of Montana contributes about 55% of their budgets¹, hospitals receive nearly 64% of their revenue from Medicare² and federal and state government entities located in Montana communities receive 100% of their funding from non-local sources.

With regards to employment, analysis of an area's economy can be done on where the work occurred (place of work) or on the basis of where the workers reside (place of residence.) Neither basis is conceptually more valid than the other.

Place of Residence

Place of Residence information is provided by the U.S. Census Bureau, Table 1 Census 2000 Summary File.

Place of Work

Place of Work information is derived from the Montana Department of Labor and Industry, Employment and Earnings (Quarterly Census of Employment and Wages) data series.

Designation

The economic analysis is performed to determine if travel industry income provides the most income in a community under the criteria defined in MONT. CODE ANN. § 7-6-1501-1509 (2003).

¹ Understanding Montana School Finance and School District Budgets, Office of Public Instruction, January 2008.

² U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services

RESORT AREA OR COMMUNITY DESIGNATION

Definitions per MCA 7-6-1501 and 7-6-1503

Criterion	AREA	COMMUNITY
Corporation and contiguous geography	Not incorporated	Incorporated
Population	< 2,500	< 5,500
Economic Well Being	Derives major economic well being from businesses catering to recreational and personal needs of persons traveling to or through area for purposes not related to their income production, i.e. non-resident business travel	Derives primary portion of economic well being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production, i.e. non-resident business travel
 Definition 	■ Major – first in rank	Primary – first in rank
■ Calculation	 Income from wages and salaries Retirement income Other income 	■ Employment only

TERMINOLOGY

- 1) Travel Industry per Institute for Tourism and Recreation Research, based out of the University of Montana and the Travel Industry Association, include:
 - Transportation
 - Lodging
 - Food and Beverage
 - Entertainment services
 - Retail, others (gift and souvenir shops, gas stations
- 2) Economic base Basic Industries
- "Industries depend heavily on markets outside state or are influenced by factors that originate beyond state's borders. Examples include
 - Natural resources agriculture, mining, and wood and paper products
 - Nonresident travel
 - Federal government
 - Railroads

3) Location Quotient

"Determines which sectors are export and local by comparing local employment to reference (state) employment in each industrial sector. Export or basic industries have more than expected level of employment than needed to meet the needs of local population.

4) Place of Residence vs. Place of Work

a) Place of residence: Census data

Economic	NAICS	Primary type	Employment related	Employment related
Sector		of sector	to Export	to Local

b) Place of Work – Department of Labor and Industry ES 202 data

-- Need to include self-employed

Economic	NAICS	Number of	Primary	Employment	Employment
Sector		Establishments	type of	related to	related to
			sector	Export	Local

5) Economic Sectors

Supersectors (BLS)

SS#	DESCRIPTION	NAICS
10	Natural Resources and Mining	11 & 21
20	Construction	23
30	Manufacturing	31 – 33
31	Durable Goods	
32	Non-Durable Goods	
40	Trade, Transportation, and Utilities	42, 44-45, 48-49, 22
41	Wholesale Trade	42
42	Retail Trade	44-45
43	Transportation and Utilities	48-49, 22
50	Information	51
55	Financial Activities	52-53
60	Professional and Business Services	54-56
65	Educational and Health Services	61-62
70	Leisure and Hospitality	71-72
80	Other Services	81
90	Government	92

Resort Tax Designees: Type, Status, Approval Data and Population

	Туре	Approval Data	Population Date	Population
Ennis	Community	1997	1995	
Polson	Community	2008	2007	5,046
Red Lodge	Community	1985	1982	1,989
Virginia City	Community	1985	1982	
West Yellowstone	Community	1985	1982	788
Whitefish	Community	1995	1992	5,111

		Approval	Population	
	Туре	Data	Date	Population
Big Sky	Area	1991	1990	407-943
Cooke City	Area	2005	2000	158
Craig	Area	2008	2000	75
Gardiner*	Area	1998	1990	511
Red Lodge Mountain	Area	2000	1990	718
Seeley Lake	Area	2007	2000	1436
St. Regis	Area	1992	1990	
West Glacier	Area	2005	2000	530

^{*} File indicates Gardiner applied for resort tax designation in 1992 but information on whether it was approved or is not in the file.

	Table 4: Annual Estimates of the Population for Incorporated Places in Montana, Listed Alphabetically: April 1, 2000 to July 1, 2007	ates of the Pop	ulation for l	corporated l	Places in M	ontana, Liste	d Alphabetic	ally: April 1,	2000 to July 1	1, 2007	
					Population	Population Estimates				April 1, 2000	2000
2007 Rank	Geographic Area	July 1, 2007 J	July 1, 2006 July	1, 2005	uly 1, 2004	July 1, 2004 July 1, 2003 July	July 1, 2002 July	July 1, 2001	July 1, 2000	Estimates Base	Census
98	Alberton town	424	429	416	401	389	375	379	377	374	374
σ	Anaconda-Deer Lodge	8,852	8,850	9,005	9,013	8,990	9,101	9,225	ó	6	9,417
115	Bainville town	147	147	150	150	149	149	152			153
44	Baker city	1,616	1,589	1,575	1,624	1,626	1,608	1,625	1,6	1,6	1,695
126	Bearcreek town	84	85	84	83	83	83	83	83	83	83
12	Belgrade city	8,047	7,642	7,343	7,304	7,050	6,749	6,416	5,936	5,812	5,728
77	Belt city	591	609	622	633	628	619	624	628	633	633
26	Big Sandy town	614	620	626	636		099	229	203	703	703
41	Big Timber city	1,801	1,739	1,713	1,726		1,700	1,675			1,650
: -	Billings city	101,876	100,208	98,775	96,998	0	94,071	92,915	<u> </u>	رن	89,847
. 48	Boulder town	1,427	1,400	1,390	1,365	1,334	1,324	1,310	1,304		1,300
5 4	Bozeman city	37,981	36,981	35,012	33,576	31,824	30,272	29,154	28,306	28	27,509
. 6	Bridger town	730	733	740	743	744	746	747	745		745
	Broadus town	444	453	444	459	473	474	472	483	484	451
114	Broadview town	150	150	150	149	150	150	150	150	150	150
100	Brockton town	234	237	241	241	238	239	243	245	245	245
2	Browning town	1.064	1,068	1,068	1,085	1,065	1,059	1,057	1,061		1,065
	Butte-Silver Bow (balance)	31,967	31,994	32,087	32,210	က	32,678	33,027	33,806	33	33,892
67	Cascade town	772	962	813	820	813	801	808	812	819	819
89	Chester town	731	748	785	808	813	812	844	869	871	871
20.2	Chinook city	1,285	1,287	1,297	1,301	1,326	1,343	1,337		1,386	1,386
43	Choteau city	1,694	1,681	1,692	1,733	1,757	1,750	1,766		1,782	1,781
262	Circle town	558	559	299	573	580	265	610		644	644
95	Clyde Park town	347	343	344	331	328	310	310			310
31	Colstrip city	2,324	2,307	2,313	2,322	2,339	2,319	2,321			2,346
16	Columbia Falls city	5,116	4,861	4,630	4,372	4,162	4,043	3,968		3,867	3,645
36	Columbus town	1,934	1,897	1,861	1,864		1,837	1,812		1,750	1,748
78	Conrad city	2,540	2,543	2,555	2,578	2	2,671	2,714	2	2	~
71	Culbertson town	694	669	902	713	200	702	713			
25	Cut Bank city	3,125	3,135	3,135	3,157	eo 	3,080	3,076	က	ee 	_ຕ
63	Darby town	853	838	821	802		745	723		•	
22	Deer Lodge city	3,502	3,504	3,348	3,252	က	3,297	3,320	က်	က	3,421
6	Denton town	. 278	279	279	285		291				
21	Dillon city	4,106	4,112	4,037	4,062	4,	4,103	4,	4,	4	ຕັ
123	Dodson town	103	104	106	110		114	118			
98	Drummond town	319	322	324	319		322				
90	Dutton town	357	357	362	371		378				
32	East Helena town	2,087	2,053	1,849	1,797	- -	1,655	<u>-</u>	<u>-</u>	_	-
83	Ekalaka town	380	380	383	392		402	407			
54	Ennis town	1,013	877	948	006	866	847	841	845	843	840

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1,010 623 70 1,459 1,459 1,459 1,459 1,459 1,459 1,459 1,459 1,459 1,691 1,52 1,52 1,53 1,68 1,691 1,54 1,691 1,54 1,691 1,695	291
Eureka town Fairfield town Fairview town Flaxville town Forsyth city Fort Benton city Fort Peck town Froid town Geraldine town Glasgow city Glendive city Glandive city Harlinn city Harlinn city Harlinn city Harlem city Lavings town Joliet town Joliet town Joliet town Joliet town Leurel city Lavina town Lewistown city Libby city Libby city Lima town Livingston city Lodge Grass town Malta city Manhattan town Melstone town Melstone town Miles City city Missoula city Missoula city	Nashua town
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91	111	82	914	742	1,126	2,061	138	4,041	911	2,177	151	189	1,812	1,931	268	224	1,082	3,216	629	4,774	788	454	1,553	415	893	611	1,321	1,728	1,867	957	400	498	130	7.14	1,1//	17.2	984	2,032	1,044	/qc	156	100	2,000
91	111	82	914	742	1,126	2,061	138	4,127	911	2,177	151	189	1,812	1,931	268	224	1,082	3,235	629	5,024	788	454	1,553	415	893	611	1,322	1,728	1,869	970	400	498	130	714	1,1//	172	984	5,731	1,044	/90	156	185	Z,01.0
06	110	81	917	746	1,128	2,047	137	4,155	910	2,184	151	188	1,824	1,928	262	221	1,079	3,229	661	4,994	790	455	1,573	415	893	604	1,323	1,736	1,864	696	401	494	130	712	1,181	171	983	2,768	1,048	569	156	185	7,000
106	109	78	929	753	1,143	1,976	132	4,228	902	2,220	149	185	1,857	1,886	260	216	1,075	3,325	657	4,873	793	441	1,633	416	875	616	1,339	1,762	1,870	926	399	490	129	695	1,193	164	086	5,940	1,058	540	153	180	2,040
68	107	75	927	780	1,139	1,907	130	4,321	891	2,246	148	181	1,877	1,881	272	508	1,029	3,304	662	4,785	788	436	1,716	421	866	969	1,342	1,790	1,868	951	402	482	130	687	1,216	158	974	6,191	1,069	530	151	183	lc09,2
loo	104	72	926	196	1,152	1,838	131	4,505	886	2.259	149	179	1,888	1,887	268	204	1,011	3,334	652	4,713	791	426	1,775	389	876	591	1,345	1,854	1,882	922	396	474	128	989	1,241	152	983	6,467	1,077	217	149	181	2,593
150	103	72	923	805	1.205	1,822	130	4.658	895	2 307	149	177	1.929	1,893	281	201	896	3,365	629	4.636	802	424	1,810	367	876	584	1,380	1,920	1,922	928	399	468	129	694	1,263	151	995	96,796	1,105	510	148	183	2,619
loo	102	02	936	803	1.210	1.755	127	4.802	895	2 366	150	176	1.948	1,867	291	196	954	3.420	673	4.670	813	416	1.825	385	968	551	1,387	1,905	1,917	096	408	463	132	694	1,261	146	974	7,113	1,117	490	146	172	2,596
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Note: The April 1, 2000 estimates base reflects changes to the Census 2000 population resulting from legal boundary updates as of January 1 of the estimates year, other geographic program changes, and Count Question Resolution actions. All geographic boundaries for the July 1, 2007 population estimates series are defined as of January 1, 2007. An "(X)" in the Census 2000 field indicates a locality that was formed or incorporated after Census 2000 or was erroneously omitted from Census 2000. Additional information on these localities can be found in the Geographic Change Notes (see "Boundary Changes" under the Geographic Topics section of the Estimates page).

Suggested Citation:

Table 4: Annual Estimates of the Population for Incorporated Places in Montana, Listed Alphabetically: April 1, 2000 to July 1, 2007 (SUB-EST2007-04-30)

Source: Population Division, U.S. Census Bureau

Release Date: July 10, 2008